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BEFORE THE
SURFACE TRANSPORTATION BOARD

ENTERED
Office of Proceedings

AUG 3 - 2011

E.I. DUPONT DE NEMOURS & COMPANY

Complainant

v.

NORFOLK SOUTHERN RAILWAY COMPANY

Defendant

Part of
Public Record

Docket No. NOR 42125

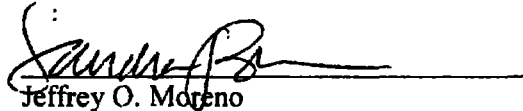
**MOTION OF E.I. DUPONT DE NEMOURS & COMPANY
TO WITHDRAW SECOND MOTION TO COMPEL**

E.I. du Pont de Nemours and Company ("DuPont"), hereby petitions the Surface Transportation Board ("STB" or "Board") to withdraw DuPont's Second Motion to Compel without prejudice. DuPont filed its Second Motion to Compel on July 22, 2011, seeking to compel the production of certain non-Sensitive Security Information ("SSI") traffic data. Norfolk Southern Railway Company ("NS") was withholding traffic data based upon NS's assertion that the data contains Sensitive Security Information ("SSI"). NS refused to produce traffic data until it received assurances from the Federal Railroad Administration ("FRA") that such information is either not SSI or that production is not prohibited by regulation. Because of the passage of time and impact on the procedural schedule in this proceeding, DuPont filed a Motion to Compel a response to the portions of certain discovery requests that were not SSI.

On July 29, 2011, FRA issued a memorandum and order determining that certain traffic information is SSI but that it may be disclosed in STB-administrative proceedings under certain conditions. This morning, NS produced a hard drive allegedly containing the requested traffic

data. Therefore, DuPont seeks to withdraw its motion without prejudice to refile at a later date if that should be necessary.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sandra L. Brown", is written over a horizontal line.

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Sandra L. Brown
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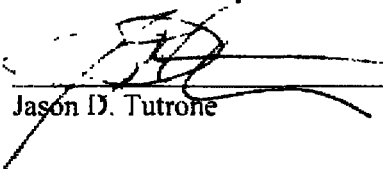
August 3, 2011

CERTIFICATE OF SERVICE

I hereby certify that this 3rd day of August 2011, I served a copy of the foregoing via e-mail and first class mail upon:

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